

Brief Overview: Proposed Changes to DC Limited Purpose Credential Law¹

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Currently, many DC residents who are migrants, like recently arrived asylum-seekers and unaccompanied minors, are unable to obtain DC identification cards. While DC has Limited Purpose Credential ID cards (LPCs) available to residents who do not have or are ineligible for social security numbers (SSNs), many migrants are essentially unable to obtain them because of overly restrictive eligibility requirements and regulations limiting the documents an applicant can present to satisfy proof of identification and proof of DC residency.

Additionally, District residents who have been issued SSNs but are unable to provide the documents required to obtain a REAL ID, also cannot obtain an LPC. As a result, many DC residents are excluded from applying for any form of driver's license or identification card despite there being no federal law that prohibits them from obtaining an LPC instead of a REAL ID.

Without ID, DC residents face many barriers to self-sufficiency, including the inability to:

- Drive legally: Many migrants have to drive without a license to be able to work and support their families, this puts them in a precarious position and negatively impacts public safety.
- Open bank accounts: Banks require ID to open an account. This makes it harder for them to save money and therefore become self-sustainable.
- Sign leases: Many landlords require ID to rent an apartment and sign leases. Without IDs the pool of housing available to low-income residents becomes smaller than it already is.
- Obtain marriage certificates: The DC Marriage Bureau requires a US ID or a passport to procure a marriage certificate. So, many migrants cannot get married in DC. This is an issue in some asylum cases where it may be beneficial to get married before submitting an application so a spouse can be a dependent.
- Obtain birth certificates: Mothers who don't meet the ID requirements struggle to get birth certificates for their newborns through Vital Records. Currently, there are 15+ babies born to recently arrived migrant parents in DC without birth certificates. When couples are not married, fathers without ID require a notary to be added to the birth certificate.
- Access community resources: Certain community resources such as adult education programs, food, libraries, community centers, etc. require identification and/or proof of residency to access their services, which are especially critical for recently arrived migrants.
- Complete applications for immigration relief: Without state-issued ID, migrants are unable to move forward with their applications for immigration relief. After applying for pathways to immigration status such as asylum, migrants must attend an appointment to provide biometrics information to the Department of Homeland Security (DHS). However, the U.S. Citizenship and Immigration Services (USCIS) requires that the applicant present a state-issued ID to complete this appointment. If biometrics are not completed, the application is forfeited.

LPCs exist to expand access to identification to all DC residents, however, due to current implementation many DC residents are unable to obtain any form of identification cards or driver's licenses. **Here, we propose changes in eligibility requirements and the list of documents that are accepted to prove identity and residency.** By implementing these changes, the DC Council will make LPCs available to some of the most vulnerable people in the District.

Eligibility Requirements

- Remove six-month residency requirement
 - LPCs have a six month residency requirement which is also inconsistent with DC law, like obtaining REAL IDs, accessing public benefits, and registering to vote.
- Remove the social security number and inability to establish legal presence requirements
 - This excludes individuals who do have a valid social security number but cannot prove current legal immigration status (e.g., an individual with an expired green card or a lost or damaged certificate of naturalization) and individuals that do have a valid social security number but are unable to provide the proof of identity documents required to obtain a REAL ID (e.g., an individual who is unhoused or housing insecure and is not currently in possession of their birth certificate).
- Require only one document for proof of residency
 - Requiring two proof of residency documents is inconsistent with other parts of DC law, for example accessing homeless services under HSRA only requires one document to prove residency.

Accepted Documents

Proof of Identity

- Most recently arrived asylum-seekers have had their documents (i.e., passport, birth certificate) confiscated by Customs and Border Protection (CBP) and/or Immigration and Customs Enforcement (ICE) and if their documents are returned it will only be after the culmination of their immigration case which may last years.
- Expand the list of documents that can be used for proof of identity to include federally-issued immigration documents, more foreign documents, expired documents, and copies of documents obtained from a federal agency via FOIA request.

Proof of Residency

- Currently, the list of proof of residency documents is very restrictive making it difficult for recent migrants, unhoused, and housing insecure people to prove residency.
- Expand the list of documents that can be used for proof of residency.
- Expand the list of documents that can be used as primary sources for the Proof of DC Residency Certification form.

LEGISLATIVE PROPOSALS

Out of the 1,000+ asylum-seekers who have chosen to resettle in DC since April 2022, after being bused here by Governors Abbott or Ducey or arriving by other means, only a handful have actually been able to obtain an LPC. Some of these migrants have lived in DC for almost a year and a half at this point. We are asking the Council to move emergency and temporary legislation to amend the eligibility requirements for obtaining limited purpose credentials and expand the list of documents that are accepted for proof identification and residency, thereby allowing many migrants immediate access to identification cards. **We are also calling for more expansive permanent legislation to be introduced by the DC Council Committee on Transportation and the Environment.**

¹ Read the full memo here: bit.ly/lpc-memo. For questions email madhvi.v@gmail.com.

² Original: June 8th, 2023. Updated: July 10th, August 1st, Sep 20th